

RICK A. YARNALL
CHAPTER 13 BANKRUPTCY TRUSTEE
701 Bridger Ave
Suite 820
Las Vegas, NV 89101
(702) 853-4500

E-FILED

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

IN RE:
SHAWN SNYDER
JENNY SNYDER

CASE NO: BKS-08-18956-LBR

CHAPTER 13

Hearing Date: October 30, 2008

Hearing Time: 1:30 pm

HAINES & KRIEGER, L.L.C.
Attorney for the Debtor

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #1
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Rick A. Yarnall, hereby objects to confirmation of Plan and hereby represents the following:

The debtor(s) filed for Chapter 13 relief on 08/11/2008. The 341(a) Meeting of Creditors held on September 30, 2008 at 10:00 am was:

- concluded

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason(s):

- Amendment to B22(c): Line 47 as stripping 2nd TD lien
- The debtor(s) has failed to cooperate with the Trustee [11 USC 521 (3)] as the following document(s) were not provided:
 - Proof post petition mortgage payments are current
 - Provide comparable/appraisals on: timeshare

The Chapter 13 Trustee objects to the following line(s) on the Debtor's form B22(c) for the reason the amount stated therein is either incorrect or excessive and requires the debtor to provide documentation to support the claim;

- Line 30 - Part IVA. Other Necessary Expenses: taxes
- Line 47 - Part IVC. Future payments on secured claims: 2nd TD as being stripped
- The proposed Plan fails to provide for all of the Debtor's disposable income [11 USC 1325 (b)(1)&(2)]based on income analysis came in higher than Sch I and/or Form 22c & Objection to expense(s)/deduction(s) on Form 22c, would result in a dividend to general unsecured creditors (i.e. luxury item, unreasonable expenses, etc.) and, as a result, the Debtor(s) has failed to file a Plan in good faith [11 USC 1325 (a)]

THEREFORE, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed and that the Trustee be allowed administrative expenses in the amount of \$125.00 per quarter the case is pending.

Dated: October 16, 2008

/s/ Rick A. Yarnall

Rick A. Yarnall, Chapter 13 Trustee